



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/930,673	08/14/2001	Mark B. Whipple	020431.0729	3212

38441 7590 08/02/2005

LAW OFFICES OF JAMES E. WALTON, PLLC
1169 N. BURLESON BLVD.
SUITE 107-328
BURLESON, TX 76028

EXAMINER

PATEL, ASHOKKUMAR B

ART UNIT	PAPER NUMBER
----------	--------------

2154

DATE MAILED: 08/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

87

Office Action Summary

Application No.

09/930,673

Tata
Applicant(s)

WHIPPLE ET AL.

Examiner

Ashok B. Patel

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 16 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Application Number 9/930, 673 was filed on 08/14/2001. Claims 1-27 are subject to examination.

Response to Arguments

2. Applicant's arguments filed 05/16/2005 have been fully considered but they are not persuasive for the following reasons:

CLAIM REJECTIONS UNDER 35 U.S.C. §102(b):

Applicant's argument:

"For example, Page fails to disclose a request broker implemented as a component within a hub system. Although Page discloses a service broker that manages requests by participants for services (Figure 2, element 14), Page does not disclose the management of requests made by participants within a hub system. Thus, Page does not provide a request broker or even a service broker implemented as a component within a hub system. Page also fails to disclose a request broker receiving a network application program interface component from a client, located remote from the hub system. As mentioned above, Page does not disclose the service broker implemented as a component with a hub system. Thus, Page cannot receive a network application program interface from participants that are remote from the service broker for service requests since the service broker is not implemented within a hub system.

The Applicants further submit that Page does not disclose determining or communicating the native format of the parameters to at least one translator for translation of the native format of the parameters to an internal format. Although Page

Art Unit: 2154

discloses a translation service that may be used for different data formats; it is only contemplated for use provided a suitable translation routine is available, (column 46, lines 59-67), Page does not determine or communicate the native formats or even the different data formats to an internal format within a selected one of a plurality of translators. Thus, the allegation in the present Office Action that Page discloses all of the claimed features is respectfully traversed

Examiner's response:

Page teaches in Fig.2 and in col. 4, line 37-41, "Service broker 14 manages requests by any participant for services provided by some other participant. Service broker 14 provides transparent service links between the clients and servers and allows users to tie together the heterogeneous environment of FIG. 2." As such, Page discloses a request broker implemented as a component within a hub system.

Page in Fig. 3A and 3B discloses LAPI (Lower application program interface) and HAPI(Higher application program interface) wherein each of them as page further discloses col. 6, line 64-66, "The service broker works directly with the LAPI by accepting and transmitting information directly in FSP control blocks. " and in col. 7, line 11, "Accordingly, as shown in FIG. 3A, each participant can communicate via an HAPI." As such, Page Page discloses a request broker receiving a network application program interface component from a client, located remote from the hub system.

Thus, Page is receiving a network application program interface from participants that are remote from the service broker for service requests since the service broker is implemented within a hub system.

Art Unit: 2154

Page teaches in col. 3, line 49-54 "An adapter may also be provided as a gateway to convert a foreign communications protocol to the function server protocol to allow applications programs to access the service broker functionality even though they are not compatible with the application program interface and function server protocol of the invention." and col. 46, line 59-67 and "The administrator can use translation services by use of the TRANSLATION attribute in the attribute file. A choice can be made between one of the standard set supplied with the broker or a user-provided routine. Applications can be developed where client and server can communicate using different data formats provided a suitable translation routine is available. The broker will automatically invoke a translation routine if available for a particular application."

Thus, Page does disclose communicating the native format of the parameters to at least one translator for translation of the native format of the parameters to an internal format.

REJECTION UNDER 35 U.S.C. : 103(a):**Applicant's argument:**

"The Applicants further submit that White, Cooper, Gervais, and Lam do nothing to overcome the acknowledged shortcomings in Page. For example, White fails to disclose a request broker, implemented as a component within a hub system, operating at a Secure Hypertext Transport Protocol (HTTPS) web server. White further fails to disclose a client initiating a connection through at least one port of the system firewall to communicate with a request broker, implemented as a component within a hub system.

Art Unit: 2154

The Applicants further submit that Cooper fails to disclose a request broker, implemented as a component within a hub system, having a plurality of acceptable native formats comprising Extensible Markup Language (XML), Electronic Data Interchange (EDI), and serialized object formats. The Applicants still further submit that Gervais fails to disclose an application server system, operable to receive the parameters from a request broker, implemented as a component within a hub system, comprising at least a collaborative planning application operable to provide planning data for one or more clients, located remote from the hub system.

The Applicants submit that Lam fails to disclose a request broker, implemented as a component within a hub system, operable to receive a network API request component and generate a network API reply component each comprising a version identifier indicating the version of the network component being used. Lam further fails to disclose the network API reply comprising a deprecation notice indicating to the client, located remote from the hub system, that the system API method called should not be further used. Lam still further fails to disclose a request broker, implemented as a component within a hub system, further operable to generate a network API exception component received from a second client, located remote from the hub system, comprising a description of the exception, and a deprecation notice indicating to the second client that the second system API method called should not be further used. The Applicants respectfully traverse the Examiners assertions regarding the subject matter disclosed in White, Cooper, Gervais, and Lam.

Examiner's response:

Art Unit: 2154

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Please refer to claim rejections provided below for the teachings of the references White, Cooper, Gervais, and Lam.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 3, 4, 6, 7, 10, 14, 16, 17, 19, 20, 23 and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Page et al. (US 5, 329, 619).

Referring to claim 1,

The reference teaches a computer-implemented system (Fig. 2), comprising:

a request broker implemented as a component within a hub system (Fig.2, element 14) operable to:

receive a network API request component from a client, located remote from the hub system, the network API request component comprising a description of a system API method to be called and one or more parameters to be used in executing the system API method, the parameters having one of a plurality of acceptable native formats; determine the native format of the parameters; and (col. 3, lines 31-65, col. 5, lines 39-52, col. 4, line 37-41, col. 6, line 64-66, and in col. 7, line 11);

Art Unit: 2154

communicate the parameters in the native format to a selected one of a plurality of translators for translation of the parameters from the native format to an internal format, each translator being associated with a different native format (col. 46, lines 59-67); and

communicate the parameters in the internal format to an application server to enable execution of the system API method according to the parameters; and the application server system, operable to receive the parameters from the request broker in the internal format, generate a return value reflecting execution of the system API method according to the parameters, and communicate the return value to the request broker in the internal format (col. 3, lines 31-65, col. 5, lines 39-52);

the request broker further operable to receive the return value from the application server system in the internal format, communicate the return value in the internal format to the selected translator for translation of the return value from the internal format to the native format, generate a network API reply component that comprises the description of the system API method that was called and the return value in the native format, and communicate the network API reply component to the client. (col. 3, lines 31-65, col. 5, lines 39-52, col. 46, lines 59-67);

Referring to claim 3 and 4,

The reference teaches the system of claim 1, wherein the client comprises at least one of a remote application, a remote spoke, and a remote hub system, and the system of claim 1, wherein the request broker is a component of an electronic marketplace, the client is remote from the electronic marketplace, and the client comprises at least one of

Art Unit: 2154

a remote enterprise application, a remote spoke, and a remote electronic marketplace.

(Fig. 2, Fig. 3A, Fig. 6, col. 6, lines 19-33)

Referring to claim 6,

The reference teaches the system of claim 1, wherein the system API method is called using a synchronous method invocation semantic. (col.5, lines 53-61).

Referring to claim 7,

The reference teaches the system of claim 1, wherein the application server system comprises an application server and a plurality of associated adapters (Fig. 2, col. 47, lines 66 through col. 48, line 11), the request broker communicating the parameters in the internal format to a selected one of the plurality of adapters to enable execution of the system API method according to the parameters, the selected adapter being operable to (Figs. 8, and 9): receive the parameters from the request broker in the internal format (col. 48, lines 13-22) ; communicate the parameters to the application server in the internal format for execution of the system API method according to the parameters; receive the return value from the application server reflecting execution of the system API method according to the parameters; and communicate the return value to the request broker in the internal format. (col. 5, lines 39-52, col. 46, lines 58-67).

Referring to claim 10,

The reference teaches the system of claim 1, wherein the network API reply comprises a format field describing how to interpret the return value and corresponding to the selected translator. (col. 46, lines 58-67, Abstract, col. 47, lines 66 through col. 48, line 11).

Art Unit: 2154

Referring to claim 14,

Claim 11 is a claim to a computer implemented method that is carried out by the system of claim 1. Therefore, claim 11 is rejected for the reasons set forth for claim 1.

Referring to claims 16 and 17,

Claims 16 and 17 are claims to computer implemented method that is carried out by the system of claims 3 and 4. Therefore, claims 16 and 17 are rejected for the reasons set forth for claims 3 and 4.

Referring to claim 19,

Claim 19 is a claim to a computer implemented method that is carried out by the system of claim 6. Therefore, claim 19 is rejected for the reasons set forth for claim 6.

Referring to claim 20,

Claim 20 is a claim to a computer implemented method that is carried out by the system of claim 7. Therefore, claim 20 is rejected for the reasons set forth for claim 7.

Referring to claim 23,

Claim 23 is a claim to a computer implemented method that is carried out by the system of claim 10. Therefore, claim 23 is rejected for the reasons set forth for claim 10.

Referring to claim 27,

The reference teaches a computer-implemented system, comprising:

means for receiving a network API request component at a request broker from a client, the network API request component comprising a description of a system API method to be called and one or more parameters to be used in executing the system API method, the parameters having one of a plurality of acceptable native formats;

means for determining the native format of the parameters at the request broker; (col. 3, lines 31-65, col. 5, lines 39-52);

means for communicating the parameters in the native format from the request broker to a selected one of a plurality of translators for translation of the parameters from the native format to an internal format, each translator being associated with a different native format (col.46, lines 59-67);

means for communicating the parameters in the internal format from the request broker to an application server system to enable execution of the system API method according to the parameters; means for receiving a return value from the application server system at the request broker reflecting execution of the system API method according to the parameters (col.3, lines 31-65, col. 5, lines 39-52);

means for communicating the return value in the internal format from the request broker to the selected translator for translation of the return value from the internal format to the native format; means for generating a network API reply component at the request broker comprising the description of the system API method that was called and the return value in the native format; and means for communicating the network API reply component from the request broker to the client (col. 3, lines 31-65, col. 5, lines 39-52, col. 46, lines 59-67);

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2, 13, 15 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Page et al. (hereinafter Page) (US 5, 329, 619) in view of White, Jr. (hereinafter White) (US 2002/0023037 A1).

Referring to claims 2 and 13,

Keeping in mind the teachings of the reference Page as stated above, the reference fails to teach wherein: the request broker is implemented as a servlet operating at a Secure Hypertext Transport Protocol (HTTPS) web server; and the network API request and network API reply components comprise Multi-purpose Internet Mail Extension (MIME) containers communicated over the Internet in HTTPS messages and further comprising a system firewall having a plurality of ports, the system maintaining at least one port of the system firewall open for communication with the client, the client initiating a connection to the system through the at least one open port of the system firewall to communicate the network API request component to the request broker, independent of any port of a client firewall being open for communication with the system. The reference White teaches "securely communicating with a server program using a secure hypertext transfer protocol, the method comprising: (a) configuring the https server program so that it listens for requests for secure hypertext transfer protocol sessions on port 80 rather than port 443; (b) receiving at the server program on port 80 a first data packet in a manner that is consistent with the secure hypertext transfer protocol, except that the request is received on port 80 rather than port 443; and (c) outputting from the server program a response to the first data packet in a manner that

is consistent with the secure hypertext transfer protocol, except that the request was received on port 80 rather than port 443.”, page 2, para.[0017]. Thereby the reference teaches the claimed elements. Communicating MIME containers is well known in art wherein MIME is part of HTTP, and both Web browsers and HTTP servers. Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to incorporate the teachings of the reference White into Page’s service broker such that an entire https session can take place, mediated by port 80, and thus is permitted to be established and carried out even if the user (client) is located on a system having a firewall that blocks port 443 as taught by White.

Referring to claims 15 and 26,

Claims 15 and 26 are claims to computer implemented method that is carried out by the system of claims 2 and 13. Therefore, claims 15 and 26 are rejected for the reasons set forth for claims 2 and 13.

7. Claims 5 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Page et al. (hereinafter Page) (US 5, 329, 619) in view of Cooper et al. (hereinafter Cooper) (US 2003/0121000 A1).

Referring to claim 5,

Keeping in mind the teachings of the reference Page as stated above, the reference fails to explicitly teach wherein: the plurality of acceptable native formats comprises Extensible Markup Language (XML), Electronic Data Interchange (EDI), and serialized object formats; and the internal format comprises serialized object format, the parameters being converted into serialized object classes by the selected translator.

Art Unit: 2154

The reference Cooper teaches these elements in paragraphs [0043], [0045], [0071]-[0073]. Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to incorporate the teachings of the reference Cooper into Page's service broker such that it would be useful to have a method for adapting well-known APIs in some manner for use as a Web-based page description language. It would be particularly advantageous for the method to provide the ability to produce documents that conform with evolving markup language processing standards as taught by Cooper.

Referring to claim 18,

Claim 18 is a claim to a computer implemented method that is carried out by the system of claim 5. Therefore, claim 18 is rejected for the reasons set forth for claim 5.

8. Claims 8 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Page et al. (hereinafter Page) (US 5, 329, 619) in view of Gervais et al. (hereinafter Gervais) (US 6, 381, 579).

Referring to claim 8,

The reference Page teaches "A client program can be a transaction under such environments as COMPLETE, CICS, IMS/DC, TSO, or CMS (IBM) or TIAM or UTM (Siemens) (col.5, lines 7-9), however, the reference fails to explicitly teach the system of claim 1, wherein the application server system supports one or more applications comprising at least a collaborative planning application operable to provide planning data for one or more clients within a supply chain. The reference Gervais "Provide an electronic-business-to-electronic-business portal that organizes the access to extended

business applications. A method allows end users to access a server using standard Web browsers, and then view their own customized menu of applications. Enhanced security and administrative tools allow this portal to be shared throughout enterprises and across supply chains, providing secure access to collaborative applications by business partners and suppliers. (Abstract). Thereby the reference teaches the application server system supports one or more applications comprising at least a collaborative planning application operable to provide planning data for one or more clients within a supply chain. Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to incorporate the teachings of the reference Gervais into Page's service broker such that it provides a common infrastructure for application administration, security management, and directory use, which can help reduce information technology (IT) costs and speed solution deployment as taught by Gervais. (Abstract).

Referring to claim 21,

Claim 21 is a claim to a computer implemented method that is carried out by the system of claim 8. Therefore, claim 21 is rejected for the reasons set forth for claim 8.

9. Claims 9, 11, 12, 22, 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Page et al. (hereinafter Page) (US 5, 329, 619) in view of Lam et al. (hereinafter Lam) (US 5, 926, 636).

Referring to claims 9, 11 and 12,

Keeping in mind the teachings of the reference Page as stated above, the reference fails to teach wherein the network API request component and network API reply

Art Unit: 2154

component each comprise a version identifier indicating the version of the network API request component and network API reply component being used, and wherein the network API reply comprises a deprecation notice indicating to the client that the system API method that was called should not be further used, and wherein the request broker is further operable to generate a network API exception component based on an exception occurring in connection with execution of a second system API method called based on a network API request component received from a second client, the network API exception component comprising a description of the second system API method, a description of the exception, and a deprecation notice indicating to the second client that the second system API method should not be further used. The reference Lam teaches "the network API request component and network API reply component each comprise a version identifier indicating the version of the network API request component and network API reply component being used. (Abstract). The reference also teaches wherein the network API reply comprises a deprecation notice indicating to the client that the system API method that was called should not be further used, and wherein the request broker is further operable to generate a network API exception component based on an exception occurring in connection with execution of a second system API method called based on a network API request component received from a second client, the network API exception component comprising a description of the second system API method, a description of the exception, and a deprecation notice indicating to the second client that the second system API method should not be further used. (Abstract, col. 8, lines 4-17). Therefore, it would have been obvious to one having

Art Unit: 2154

ordinary skill in the art at the time of invention was made to incorporate the teachings of the reference Lam into Page's service broker such that the server component management application programming interface reads a field in the message to determine whether an addressing format of the client computer is compatible with an addressing format of the server computer. If the addressing formats are not compatible, the server component management application programming interface converts the message to an addressing format compatible with the server computer.

Referring to claims 22, 24 and 25,

Claims 22, 24 and 25 are claims to computer implemented method that is carried out by the system of claims 9, 11 and 12. Therefore, claims 22, 24 and 25 are rejected for the reasons set forth for claims 9, 11 and 12.

Conclusion

Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok B. Patel whose telephone number is (571) 272-3972. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 09/930,673
Art Unit: 2154

Page 18

Abp



JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100